

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Matthew Blake Ginn

Docket No. 4:12-CR-23-1D

Petition for Action on Supervised Release

COMES NOW Michael W. Dilda, Supervising U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, Matthew Blake Ginn, who, upon an earlier plea of guilty to Bank Robbery, was sentenced by the Honorable James C. Dever III, Chief U.S. District Judge on October 2, 2012, to the custody of the Bureau of Prisons for a term of 36 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Matthew Blake Ginn was released from custody on August 29, 2014, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant was instructed to report for monthly office visits, which would include the submission of urinalysis testing; however, Ginn failed to report to the probation office for the months of March, May, and June 2015. On July 24, 2015, the defendant provided a urine sample that was submitted for laboratory analysis. On August 4, 2015, laboratory analysis revealed positive results for codeine, hydromorphone, and morphine. On August 25, 2015, Ginn admitted to using illegal drugs prior to the urinalysis test on July 24, 2015. Specifically, the defendant acknowledged he consumed non-prescribed morphine pills on approximately July 22, 2015, and smoked marijuana approximately one week prior to the test. Ginn was instructed to report for a urine sample on September 14, 2015, but failed to do so. The defendant was enrolled in substance abuse treatment at East Coast Counseling in Greenville, North Carolina; however, he failed to report as directed for appointments in August and September 2015. Ginn has agreed to participate in more intensive drug testing measures through the Surprise Urinalysis Program and has been directed to return to substance abuse counseling. Additionally, as sanctions for this violation conduct, confinement of 2 days in the custody of the Bureau of Prisons is recommended, along with participation in the DROPS Program, which shall begin at the second use level. The defendant signed a Waiver of Hearing agreeing to the proposed modifications of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days; The defendant shall begin the DROPS Program in the second use level.
2. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 2 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.


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I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Michael W. Dilda
Michael W. Dilda
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: 252-830-2342
Executed On: September 22, 2015

ORDER OF THE COURT

Considered and ordered this 23 day of September, 2015 and ordered filed and
made a part of the records in the above case.



James C. Dever III
Chief U.S. District Judge